



THE CITY OF SAN DIEGO

## MEMORANDUM

DATE: July 7, 2010

TO: Members of the Code Monitoring Team

FROM: Dan Joyce, Senior Planner, Development Services Department

SUBJECT: Small Lot Subdivision

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The focus of the July 14 Code Monitoring Team will be a small lot subdivision ordinance, similar in concept to the one adopted in Los Angeles in 2005. The intent of the ordinance is to provide greater flexibility in creating alternative housing, to create more affordable housing options, and to provide unique opportunities for single family home ownership in urban infill development. This will be the first of a number of CMT meetings planned to discuss development of this ordinance.

Attached to this memo is a list of questions/issues (not intended to be all encompassing) that should be discussed early in the process. Also attached is a very preliminary draft set of regulations that are intended to identify how the regulations would be implemented and how they might fit into the Land Development Code. The specifics in the draft function more as placeholders than proposed regulation. Please review both attachments for our discussion.

Attachments:

- (1) Issues and Questions
- (2) Draft Ordinance

cc: Lara Gates

## SMALL LOT SUBDIVISIONS

### QUESTIONS & ISSUES

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- **Zones**
  - Proposal to allow in the RT zones (townhome) and the RM-1 through RM-3 (Multi-family up to a density of 73 du/ac)
  - Should they also be permitted in commercial zones (new CN-2 zones that require residential)? If Yes then:
    - Should there be minimum commercial area?
    - Should commercial be required on the street frontage? How much of frontage?
    - Should the parking for commercial be waived if less than 7,000 s.f. lot?
- **Lots**
  - Should a small lot subdivision require a minimum number of lots?
  - Is 600 s.f. a reasonable minimum lot size?
  - Should there be a maximum lot size?
  - What should be the minimum lot width?
  - Should there be a required minimum mix of lots sizes?
  - Should lot configurations be flexible (flag lots, unique shapes to allow courts)
- **Street front**
  - Should there be a min/max street front setback?
  - Should there be any requirements for street front entry (stoop, porch, overhangs)?
- **Setbacks?**
  - Side setbacks
    - Should there be any side yard setbacks?
    - Should setbacks be based on lot size?
  - Alley setbacks
    - What setback is appropriate/necessary for alleys?
    - Should there be minimum alley standards/improvements required?
- **Common Areas**
  - Instead of providing common areas when more than 80% of the lot is covered should the requirement of 20% be satisfied onsite in rooftop gardens and balconies provided that certain minimum area is provided?
  - Common area provided (HOA required for maintenance)
    - Alley access only for parking?
    - Limits on number and separation of street front driveway access points?
    - Should clustered parking be required?
  - No common area provided (no HOA)
    - Should easements for pedestrian access be required?
    - Should other restrictions be placed on approval (fencing, hardscape, planting)?
    - How to address multiple street front curb cuts and the pedestrian?
- **Parking**
  - Proposing Multi-family standards
  - Should standards be attached to lot sizes?
  - Should they be provided a reduction greater than 0.25 if within limited to locations with transit provided within a ¼ mile or within the Transit Overlay Zone?

# Draft Regulations Small lot Subdivision

## 126.0502 When a Site Development Permit is Required

- (a) and (b) [No Change]
- (c) A Site Development Permit decided in accordance with Process Three is required for the following types of *development*.
  - (1) through (7) [No Change]
  - (8) *Development of a small lot subdivision of four or fewer lots as described in Section 143.0365.*
- (d) A Site Development Permit decided in accordance with Process Four is required for the following types of *development*.
  - (1) through (8) [No Change]
  - (9) *Development of a small lot subdivision of five or more lots as described in Section 143.0365.*
- (e) [No Change]

**§131.0422 Use Regulations Table for Residential Zones**

**Table 131-04B**  
**Use Regulations Table of Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	RE-		RS-														RX-		RT-						
	3rd >>	1-		1-														1-		1-						
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4	5	
Open Space through Agriculture [No Change]																										
Residential																										
Mobilehome Parks		-		p <sup>(1)</sup>														p <sup>(1)</sup>		-						
Multiple Dwelling Units		-		-														-		-						
Rooming House		-		-														-		-						
Single Dwelling Units		P		P														P		p <sup>(11)</sup>						
Separately Regulated Residential Uses through Signs [No Change]																										

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones											
	1st & 2nd >>	RM-											
	3rd >>	1-			2-			3-			4-		5-
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12
Open Space through Agriculture [No Change]													
Residential													
Mobilehome Parks		p <sup>(2)</sup>			p <sup>(2)</sup>			p <sup>(2)</sup>			p <sup>(2)</sup>		-
Multiple Dwelling Units		p <sup>(5)</sup>			p <sup>(5)</sup>			p <sup>(5)</sup>			p <sup>(5)</sup>		P
Rooming House		-			-			-			-		-
Single Dwelling Units		p <sup>(11)</sup>			p <sup>(11)</sup>			p <sup>(11)</sup>			P		-
Separately Regulated Residential Uses through Signs [No Change]													

Footnotes for Table 131-04B

<sup>1</sup> through <sup>10</sup> [No Change]

<sup>11</sup> Development of a small lot subdivision is permitted in accordance with Section 143.0365.

## §132.0905 Supplemental Development Regulations of the Residential Tandem Parking Overlay Zone

- (a) Tandem parking may be counted as two parking spaces toward the off-street parking required by Chapter 14, Article 2, Division 5 (Parking Regulations) only in the following locations and circumstances:
  - (1) In the Golden Hill Community Plan area, the La Jolla Community Plan area, the Mission Beach Precise Plan area, the Mission Valley Community Plan area, the Uptown Community Plan area, and all community plan areas in Council District 5.
  - (2) In the City Heights neighborhood of the Mid-City Community Plan Area only for *structures* with one or two dwelling units.
  - (3) If at least 25 percent of the project area is located within the Transit Area Overlay Zone as shown in Diagram 132-10A and the project area is not located in the Greater North Park Community Plan area, the Pacific Beach Community Plan area, the Southeast San Diego Community Plan area, the Skyline/Paradise Hills Community Plan Area, or the Mid-City Communities Plan area other than the City Heights neighborhood.
  - (4) Within the beach impact area of the Parking Impact Area Overlay Zone where access is provided to the tandem space from an abutting *alley*.
  - (5) Within any small lot subdivision.
- (b) At least one of the two parking spaces shall be within a completely enclosed *structure*, except for within a small lot subdivision where an

enclosed structure for parking is not required consistent with the Small Lot Subdivision Guidelines of the Land Development Manual.

- (c) Both of the tandem spaces shall be assigned to the same dwelling unit.
- (d) The tandem parking spaces shall be assigned, and the use restrictions shall be enforced, by the owner of the *premises* or the owner's assigned representative.

**§132.1002 Where the Transit Area Overlay Zone Applies**

**(a) through (b) [No Change]**

**Table 132-10A  
Transit Area Overlay Zone Applicability**

<b>Type of Development Proposal</b>	<b>Supplemental Development Regulations</b>	<b>Required Permit Type/ Decision Process</b>
<u>Single dwelling unit development within a small lot subdivision located within this overlay zone</u>	<u>See parking regulations in Section 142.0520</u>	<u>No permit required by this division</u>
Any multiple dwelling unit development located within this overlay zone	See the parking regulations in Section 142.0525	No permit required by this division
Any nonresidential development located within this overlay zone	See the parking regulations in Section 142.0530	No permit required by this division

**§142.0520 Single Dwelling Unit Residential Uses – Required Parking Ratios**

The required number of *off-street parking spaces* for *single dwelling units* and related uses are shown in table 142-05B.

**Table 142-05B  
Minimum Required Parking spaces for  
Single Dwelling Units and Related Uses**

<b>Type of Unit and Related Uses</b>	<b>Number of Required Parking Spaces</b>
<u>All single dwelling units, <del>except those with five or more bedrooms in campus impact areas (See Chapter 13, Article 2, Division 8)</del> unless otherwise identified in Table 142-05B.</u>	2 spaces per dwelling unit <sup>(1)</sup>
Single dwelling units with five or more bedrooms in campus impact areas (See Chapter 13, Article 2, Division 8)	1 space per bedroom (previously conforming parking regulations in Section 142.0510(d) do not apply) <sup>(2)</sup>
High occupancy single dwelling units	1 space per occupant eighteen years of age

Type of Unit and Related Uses	Number of Required Parking Spaces
subject to Section 123.0502	and older, less one space ( <i>previously conforming</i> parking regulations in Section 142.0510 (d) do not apply)
<u>Single dwelling units within a small lot subdivision located within the Transit Area Overlay Zone.</u>	<u>Parking shall be provided consistent with automobile parking requirements in Table 142.05C</u>
Housing for senior citizens (maximum 1 bedroom)	1 space per dwelling unit

Footnote for Table 142-05B

<sup>1</sup> *Single dwelling units, except those within a small lot subdivision,* that do not provide a driveway at least 20 feet long, measured from the back of the sidewalk to that portion of the driveway most distant from the sidewalk, as illustrated in Diagram 142-05A, shall provide two additional parking spaces. These parking spaces may be on street, abutting the subject property, but shall conform to section 142.0525(c)(4).

<sup>2</sup> In campus impact areas, new *single dwelling unit development* with 5 or more *bedrooms* shall provide a minimum of 2 parking spaces in a garage. Where an existing garage is proposed for conversion to habitable area, garage parking shall be replaced with an equivalent number of garage parking spaces on the *premises*.

Need to modify res to allow for combining total number of parking spaces required for each lot when parking is clustered (to reduce total requirement caused by rounding up requirement for each single lot)

## §142.0560 Development and Design Regulations for Parking Facilities

(a) through (j) [No Change]

(j) Driveway and Access Regulations

(1) through (7) [No Change]

Need to address existing parking regs in section below also how to address options for 20-foot width and common driveways for sf development on a single premises.

(8) Maximum Number of Driveways Permitted on a *Premises*.

(A) For properties with no access to an *alley*, there shall be at least one driveway opening permitted per *street frontage* with a maximum of one driveway opening for each 100 feet of *street frontage*.

(B) For properties with access to an *alley* and at least 150 feet of total *street frontage*, a maximum of one driveway opening for each 150 feet of frontage is permitted.

(C) For properties with access to an *alley* and less than 150 feet of total frontage, a driveway is not permitted, except that in the RM-1-1, RM-1-2, and RM-1-3 zones, one driveway may be permitted if the prohibition of a driveway opening would preclude achieving the maximum *density* permitted by the underlying zone.

**§143.0302 When Supplemental Neighborhood Development Permit and Site Development Permit Regulations Apply**

This division applies to any *development* proposal for which a Neighborhood Development Permit or Site Development Permit is required as described in Sections 126.0402 and 126.0502, in accordance with table 143-03A.

**Table 143-03A  
Supplemental Neighborhood Development Permit or Site Development Permit  
Regulations Applicability**

<b>Type of Development Proposal</b>	<b>Applicable Sections</b>	<b>Required Development Permit/Decision /Process</b>
Affordable Infill Housing and Sustainable building Projects with Deviations through Mission trails Design District	[No Change]	[No Change]
<u>Small lot subdivision of four or fewer lots.</u>	<u>143.0303, 143.0305, 143.0310, 143.0365, 143.0375</u>	<u>SDP/Process Three</u>
<u>Small lot subdivision of five or more lots.</u>	<u>143.0303, 143.0305, 143.0310, 143.0365, 143.0375, 143.0380</u>	<u>SDP/Process Four</u>
Development Within the Urban Village Overlay Zone through Clairemont Mesa Height Limit Overlay Zone	[No Change]	[No Change]

**§143.0365 Supplemental Site Development Permit Regulations for Small Lot Subdivisions**

The purpose of these regulations is to provide supplemental development regulations for *development of single dwelling units* in a *small lot subdivision* to be applied concurrently with processing of a parcel or tentative map that includes a *small lot subdivision*. The intent is to encourage development of fee simple housing on smaller *lots* in order to provide a space efficient and economical alternative to traditional *single dwelling unit development*. It is also the intent of these regulations to provide pedestrian friendly developments that are appropriate to the neighborhood character.

The following supplemental regulations apply to Site Development Permits for *small lot subdivisions*. A *small lot subdivision development* is permitted in all RT (Residential-Townhouse) zones and the RM-1-1 through RM-3-9 (Residential Multiple Unit) Zones. A *small lot subdivision development* shall comply with the

following supplemental regulations and be consistent with the Small Lot Subdivision Guidelines of the Land Development Manual.

(a) Access easements and restrictions

(1) Small lot subdivisions that do not include common open space shall be required to provide the follow easements and restrictions

(A) Pedestrian access...

(b) Lot frontage shall be consistent with the Small Lot Subdivision Guidelines of the Land Development Manual

(c) Parking shall comply with the parking requirements of the **base zone** except for the following:

(B) Required parking shall be provided either on a *single dwelling unit lot* or within a common parking area within the *small lot subdivision*

(C) Enclosed parking is optional.

Is the following table an alternative to the above?

<u><b>Development Regulations for Small Lot Subdivisions</b></u>	
<u><b>Maximum permitted density</b> (DU per lot)</u>	<u><b>1</b></u>
<u><b>Min lot area</b> (sf) [See Section 131.0441]</u>	<u><b>600</b></u>
<u><b>Min lot dimensions</b></u>	
<u>Lot width (ft)</u>	
<u>Interior within the small lot subdivision</u>	<u><b>20/16?</b></u>
<u>Adjacent to lots not within small lot subdivision</u>	<u><b>25/21?</b></u>
<u>Street frontage (ft)</u>	<u><b>20/16<sup>(1)</sup></b></u>
<u>Lot width (corner) (ft)</u>	<u><b>20/16?</b></u>
<u>Lot depth (ft)</u>	<u><b>30</b></u>
<u><b>Setback requirements</b></u>	
<u>Front setback</u>	
<u>Min setback (ft)</u>	<u><b>0</b></u>
<u>Max setback (ft)</u>	<u><b>10</b></u>
<u>Side setback (ft)</u>	<u><b>0/5<sup>(2)</sup></b></u>
<u>Min street side setback (ft)</u>	<u><b>applies<sup>(2)</sup></b></u>
<u>Min rear setback (ft)</u>	<u><b>applies<sup>(2)</sup></b></u>
<u><b>Max structure height</b></u>	<u><b>per base zone</b></u>
<u><b>Max lot coverage</b> (%)</u>	<u><b>80<sup>(3)</sup></b></u>
<u><b>Max floor area ratio</b></u>	<u><b>-</b></u>
<u><b>Accessory uses and structures</b> [See Section 131.0448(a)]</u>	<u><b>applies</b></u>
<u><b>Garage regulations</b> [See Section 131.0449(b)]</u>	<u><b>-</b></u>
<u><b>Parkway requirement</b> [See Section 131.0452]</u>	<u><b>-</b></u>
<u><b>Architectural projections and encroachments</b></u>	<u><b>-</b></u>
<u><b>Supplemental requirements</b> [See Section 131.0464(c)]</u>	<u><b>-</b></u>
<u><b>Refuse and Recyclable Material Storage</b> [See Section 142.0805]</u>	<u><b>applies<sup>4</sup></b></u>



#### Footnotes

- <sup>1</sup> The minimum *lot* frontage applies only to those lots within a small *lot subdivision* located along a public or private street except that flag lots may be created to provide access to ...
- <sup>2</sup> The minimum *yards* of the applicable base zone zones shall apply for any portion of a *lot* abutting a *lot* not mapped within the small *lot subdivision*.
- <sup>3</sup> The *lot coverage* may exceed 80 percent provided the small *lot subdivision* includes a common open space equivalent of 20 percent for each *lot* that exceeds 80 percent *lot coverage*.
- <sup>4</sup> The Refuse and Recyclable Material Storage regulations apply only to small lot subdivisions that include common open space.